

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CHARLES F. BUTLER

Appeal 2007-3210
Application 10/039,303
Technology Center 3700

Decided: July 29, 2008

Before DALE M. SHAW, *Chief Appeals Administrator*.

SHAW, *Chief Appeals Administrator*.

ORDER REMANDING TO THE EXAMINER

On June 12, 2007, this application was received at the Board of Patent Appeals and Interferences (hereinafter "Board"). On June 28, 2007, the Board assigned this application Appeal No. 2007-3210. On July 6, 2007, the Board mailed a Docketing Notice to Appellant. However, on November 1, 2007, Appellant filed an Information Disclosure Statement (IDS). Therefore, this application is being remanded to the Examiner to consider the IDS filed on November 1, 2007. MPEP § 609 (8th ed., Rev. 6, Sept. 2007) requires the Examiner to consider any IDS filed by Applicant if timely submitted. A written communication notifying Appellant of the Examiner's consideration of the above IDS is required.

Accordingly, it is

ORDERED that this application is remanded to the Examiner to:

- (1) consider Appellant's IDS filed on November 1, 2007,
- (2) notify Appellant in writing of such consideration, and
- (3) for such further action as may be appropriate.

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

clj

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